

Leicester
City Council

**WARDS AFFECTED
ALL**

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

**Leaders Briefing
Cabinet**

29 July 2002

PROTOCOL ON ORGANISATION AND STAFFING CHANGE

Report of the Town Clerk and Corporate Director Resources Access and Diversity

1. Purpose of Report

- 1.1 The purpose of this report is to seek agreement to the attached Protocol on Organisation and Staffing Change to replace the old Appendix "R" mechanism.

2. Summary

- 2.1 The Protocol was developed in consultation with the Joint Trades Unions as part of the Revitalising Neighbourhoods consultation. It was widely accepted that the former Appendix "R" had fallen into disrepute and a new procedure for dealing with organisational change was required.
- 2.2 The Protocol was agreed on 29 May 2002 at the Revitalising Neighbourhoods Joint meeting and was also approved by the Joint Trades Unions on the same day.

3. Recommendations

- 3.1 Cabinet is recommended to approve and endorse the new Protocol. It should be noted that in agreement with the Joint Trades Unions that the Protocol is already being used in organisational reviews.
- 3.2 The new Protocol will replace Appendix R in the Local Scheme of Conditions of Service

2. Headline Financial and Legal Implications

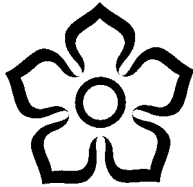
There are no financial or legal implications

3. Report Author/Officer to contact:

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Resources Access and Diversity
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DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Executive (Cabinet)



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PROTOCOL ON ORGANISATION AND STAFFING CHANGE

SUPPORTING INFORMATION

1 BACKGROUND

- 1.1 The Protocol on Organisation and Staffing Change was developed during consultation with the Trades Unions on Revitalising Neighbourhoods.
- 1.2 It was acknowledged during the consultation that the former Appendix "R" had fallen into disrepute and that a new procedure for dealing with organisational change was required.

2. REPORT

- 2.1 The Protocol for Organisation and Staffing Change is attached at Appendix 1

3 FINANCIAL IMPLICATIONS

None

4 EQUAL OPPORTUNITIES IMPLICATIONS

Having a mechanism to support staff experiencing organisational change is good practise and the new Protocol is an attempt to provide a transparent method of carrying out reviews.

5 CONSULTATION

Departmental Personnel Managers and the Joint Trades Unions have been consulted about the content of this report. The Personnel Managers consulted were: Val Betteridge, Nim Rajagopalan, Lynn Roffee, Christine Geschke, Jay Webb and Gill Stacey.

6 OTHER IMPLICATIONS

Other implications	Yes/No	Paragraph reference within supporting information
Financial implications	No	
Legal implications	No	
Equal opportunities	Yes	Para 4
Sustainable environment	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/people on low income	No	

7. Background Papers – Local Government Act 1972

None

8 REPORT AUTHOR/OFFICER TO CONTACT

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 Personnel Services Manager
 Resources, Access and Diversity
 X 7097

Appendix 1

Protocol for organisation and staffing change.

All organisation and staffing changes will be subject to the following review process and should be conducted by a minimum of third tier level management.

1. First Steps

Managers initially will substantiate the reasons for a reorganisation and anticipate the potential outcome for staff and service users. They will also take into consideration the amount of reorganisation an area has been subject to and whether structures have had long enough to be effective before further changes are proposed to minimise the amount of uncertainty and upheaval faced by staff.

A personnel officer will be attached to each review to assist the manager ensures a corporate approach to personnel issues and advises on slotting in and appeals.

Prior to a re organisation taking place the manager leading the review should contact the Joint Trade Union Secretary and the Branch Secretary of the six recognised trade unions informing them that a review is to take place to enable the unions to provide a representative of the joint trade unions and the stewards for the area as appropriate.

Notice of a minimum of ten working days should be given to staff and unions that a meeting is to take place.

A file will be maintained for each review consisting of all documents (eg minutes, supporting information, written staff responses)

2. First Meeting

At the first meeting all affected staff will be invited and the role of staff liaison representatives will be explained by the manager and the method of selection.

The summary statement will be read out and the Council's policy on organisation reviews circulated and the joint trades union representative introduced.

Terms of reference should be circulated for comments. Where proposals are part formed or the outcome of the review can be anticipated, these elements should be included at the outset.

A realistic draft timetable should be produced which takes into account the need for flexibility.

An explanation of the rationale behind the need to reorganise should be given in accordance with paragraph 1 above.

At the earliest opportunity, where it is identified that there is a potential for job losses management will propose to produce and distribute an at risk list.

3. Future Meetings

At the earliest opportunity a draft structure, which must focus on the nature and level of posts rather than individuals should be prepared, again to minimise uncertainty for the staff affected.

Draft job descriptions will be produced to enable a slotting in list to be prepared. Appeal rights in terms of job evaluations and slotting in should be clearly stated.

All new posts or existing posts subject to change will be evaluated during the course of the review. Where posts are not evaluated because they are regarded as unchanged and the staff disagree, this will be recorded, with reasons.

Information which is relevant to the review should be presented at the earliest opportunity for example financial constraints or accommodation issues.

Comments from trade union representatives and any from staff will be given consideration including counter proposals. Where management are unable to accommodate these a full explanation must be given.

A record will be kept on file by the managers of significant concerns or proposals put forward by staff together with a record of the management response to them.

Should variations to the review provisions or to conditions of service be contemplated, these should be discussed in consultation with the trades unions.

The creation or continuation of temporary posts and how they will be filled will form part of the consultation.

4. Last Meeting

Proper consideration is given to ensure that the Joint Trade Union representatives can attend the last meeting. A slotting in list will be issued. Details of how and when vacant posts will be filled. A copy of the final report approved by the relevant director to be available if requested.

5. Appeals

Appellants will have the right of appeal against 'slotting decisions' to the relevant Director (or Chief Executive) as appropriate. Job profiles will be made available to all parties and written submissions will be made by both the manager and the appellant, to be received five working days before an appeal hearing for slotting in.

Where there are unresolved issues about the management of the review and the application of the protocol, the review file will be made available for inspection by the Service Director Human Resources and Equalities and a Joint Trade Union Official.

Appendix 1

In the first instance the grounds of the appeal should be put in writing to the Service Director HR and Equalities no later than ten working days following the final review meeting. The Service Director HR and Equalities would then consider the Appeal with an independent representative of the Joint Trades Unions. This would include inspecting the Review file and interviewing relevant parties.

Their decision would be put in writing to the Appellant within ten working days of the Appeal being received.

Where appeal rights currently exist for other aspects of the Review including job Evaluation, Slotting in, selection for redundancy and recruitment complaints these would be dealt with by the relevant appeals process.

In the event of the Service Director and Joint Trade Union Official being unable to form a view this would be referred to the relevant Corporate or Service Director who in consultation with the Cabinet Lead and the Triumverate of the Finance Resources Equal Opportunities Scrutiny Committee would decide on the matter. All of the above would have free and equal access to the documentation. There will be an opportunity for parties to make representations to support their statement of case as part of this stage of the process.

The decision will be confirmed and reasons put in writing to the relevant parties. The Scrutiny Triumverate would also have the opportunity to make written comments.

Timescales at each stage would be ten working days from receipt of appeal. Where that timescale proves unrealistic a timetable for the appeal will be drawn up with reasons given for the delay.

6. Standards

The standards for reviews, as attached must be observed at all times.

Guidelines and Standards for organisation and staffing change

Timeliness

1. Managers must let staff and trades unions know as soon as possible about proposals for a review.
2. Managers will produce a timetable of planned events linked to the review.
3. Managers will allow reasonable time for debate and consideration of the proposals at meetings with staff and trades unions.

Consultation

1. Managers must undertake 'meaningful consultation'. This will require listening to other proposals and points of view, giving consideration to them and providing reasoned responses.
2. Managers must allow for employees, trades unions and other representatives to be involved in the consultation process.

Representation of views of consultees and their representative

1. Staff affected by the review may wish to express their views in writing via their trades union representative or staff liaison representative to the manager leading the review.
2. Decisions on the review will only be taken after giving consideration to such views expressed.

Equality of Opportunity

1. The Council's Equal Opportunities Policy must be fully complied with throughout the course of the review.
2. Managers should give consideration to the following:
e.g.
 - Communication
 - Location
 - Working Patterns/arrangements

Availability of Information/Audit

1. Information on which change is based should be available for inspection and scrutiny, subject to restrictions of the Data Protection Act, 1998. Files of individual organisation and staffing reviews should be retained by lead officers and made

Appendix 1

available for inspection by the Assistant Director (Human Resources & Staff Development).

Managers' Preparation

All managers must have undertaken suitable preparation and coaching with a Personnel Adviser to conduct an organisation and staffing review.